



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

MINUTES

July 6, 1998

P.O. BOX 827
CARLISLE, MA 01741
(978) 369-9702

ANR Plan: West Street, Map 17, Lot 20. Howard and Janice Hensleigh, 50 School St., applicants.

Notice of intent to remove property on West Street, Map 17, Lot 20, Parcel B, from Chapter 61A classification

Nitsch engineering services contract

Request from counsel for plaintiff in matter of Treibeck v. Carlisle Planning Board (Laurajon Definitive Subdivision Plan, East St. - disapproved 2/25/96) to initiate settlement discussion (executive session).

Report of Carlisle Conservation Foundation/Land Trust meeting (6/23/98)

Review of Preliminary Subdivision Plan for Buttrick Woods, Concord Street, Map 4, Lot 20. (Petition of Landwest, Inc., North Reading, MA)

Chair Hengeveld opened the meeting at 7:35 p.m. Members Abend, Epstein, Holzman, LaLiberte and Reid were present. Tice was not present this evening. Planning Administrator Mansfield and David Ives of the *Mosquito* were also present.

There were no minutes available for the previous meeting.

Hengeveld asked if any Board members would be able to attend the MAGIC meeting on Thursday, July 9 at 7:00 p.m. Upon learning that no member could represent the planning board, Reid offered to call Selectman Chaput to inform her of this and to ask for more notice in advance of future meetings.

Hengeveld stated that the Performance Evaluation of the Planning Secretary had been completed today and noted the "Goals and Objective for Anja Stam" were on the table before the Board this evening.

Bills were circulated and Mansfield asked the Board to authorize a board member to sign bills that are submitted between now and July 15th when the books close for FY 98. Reid **moved to authorize Tara Hengeveld to sign bills on behalf of the Planning Board between now and July 14, 1998.** Abend seconded and the motion was approved 6-0. Mansfield noted that substantial bills may be expected from Kopelman and Paige. Epstein explained that he is discussing these bills with Leonard Kopelman and Epstein also expected to receive a status report of outstanding litigation from Kopelman and Paige.

The meeting tentatively scheduled for August 17th was rescheduled to August 24th.

Mansfield notified the Board of a possible ANR to be submitted tomorrow. If this happens the Board would need to schedule a special meeting by July 28 in order to have four members endorse the plan.

Public Hearing: West Street, Map 17, Lot 20 - Special Permit for Common Driveway to be known as "Hensleigh Acres Lane," Howard and Janice Hensleigh, 50 School St., applicants

Nick Lunig of West St. and Ward Burke of Judy Farm Rd. were present for this public hearing.

Mansfield learned from Bill McNary that the abutters notices for this public hearing were not sent out. Prior to learning of this, the applicant had asked that the hearing be opened briefly to ask for a continuance in order to change the plans. Since notice was not properly served, this hearing was not opened this evening.

(Abend left the PB meeting to attend the Municipal Land Meeting.)

ANR Plan: West Street, Map 17, Lot 20. Howard and Janice Hensleigh, 50 School St., applicants.

Mansfield explained that the purpose of this ANR is to establish parcel B, a non-buildable parcel with no frontage and approximately 3.5 acres. The Hensleighs intend to convey this parcel to an abutter, Ward Burke.

LaLiberte moved to approve the ANR before the Board, submitted by Howard and Janice Hensleigh, regarding parcel B, dated June 19, 1998, presented by Stamski and McNary. Reid seconded the motion and it was approved 5-0.

Notice of intent to remove property on West Street, Map 17, Lot 20, Parcel B, from Chapter 61A classification

Janice Hensleigh was present for this discussion.

The Board discussed the value of this property to the Town, noting that this parcel is not listed on the Open Space priority list, but it does abut other high priority parcels.

The Board asked Hensleigh how long this parcel has been under Chapter 61A. She replied that it has been a long time, used both for cattle farming under Chapter 61A and forestry under Chapter 61.

LaLiberte stated that the Board may wish to support obtaining this property if there is interest from Cons. Com. or the Conservation Foundation. Hensleigh asked why the Town would be interested in purchasing this property if the potential buyer has no plans or means to build on it. Epstein noted that if the remaining Hensleigh land is of interest to the Town, then Parcel B should also be considered.

LaLiberte then moved to send a letter to the Selectmen indicating that if other Town boards or committees communicate to the Selectmen that this parcel would provide linkage or be otherwise desirable, the Planning Board would support them. Otherwise the Planning Board will not recommend purchase since it is not on the Open Space plan. Epstein seconded the motion and it was approved 5-0. LaLiberte offered to review Mansfield's draft of the above mentioned letter to the Selectmen.

Nitsch engineering services contract

LaLiberte reviewed the contract and compared it with Town Counsel's recommendations. All recommended changes had been incorporated and the payment deadline has been changed to "30 days." Epstein **moved to authorize the Chair to execute an acceptable agreement with Judith Nitsch Associates in the form negotiated as shown in the document before the Board.** LaLiberte seconded the motion and it carried 5-0.

(Abend returned.)

Public Hearing: Definitive Subdivision Plan and Special Permit for Common Driveway for West Meadow, 361 Acton Street, Map 17, Parcel 17A, Robert Koning, 45 Acton St., applicant

Scott Munroe, Jan Sachs, Martin Schafer of Acton Rd., Kenneth Welsh of Judy Farm Rd., and Martha and Jonathan Supnik of Heald Rd. were present this evening.

Again, Mansfield informed the Board that abutters had not been served proper notice by the applicant's engineer. Bill McNary has asked to reschedule the hearing for August 3rd. McNary also told the PA that he would notify abutters via certified mail, but would not readvertise since the public in attendance will be aware of the rescheduled date and the agenda will be in the *Mosquito*. The Board felt uncomfortable with this and asked the PA to contact McNary and require the applicant to readvertise the hearing. The hearing was rescheduled to open at 7:45 p.m. on August 3rd.

Request from counsel for plaintiff in matter of Treibeck v. Carlisle Planning Board (Laurajon Definitive Subdivision Plan, East St. - disapproved 2/25/96) to initiate settlement discussion (executive session).

Abend moved and Reid seconded a motion to go into executive session to discuss litigation regarding Treibeck and Hunters Run for a period not to exceed 30 minutes and will then return to regular session. The Board was polled and all six members approved.

Following the discussion, Abend moved to return to regular session. Reid seconded, the Board was polled, and all approved the motion.

Report of Carlisle Conservation Foundation/Land Trust meeting (6/23/98)

Epstein named some of those in attendance at the CCF/CLT meeting and reported that Greg Peterson gave a state of the Town presentation using a map of Carlisle. The committees are concerned over intense pressure from development, especially in the area of West St. Initially, they would like to concentrate their efforts there. They are also interested in establishing ties with other boards, including the Planning Board. Epstein asked them to attend a PB meeting to give an overview of CCF and CLT. The Board expressed agreement with this plan and asked the PA to invite them to an upcoming meeting. PB members expressed an interest in becoming involved early in negotiating processes.

O'Rourke site walk

Abend and Holzman expressed interest in attending the site walk. Louise Hara, who was organizing the walk, was present and informed the Board it was scheduled for 6:30 a.m. on Friday July 10th.

PB Goals

Hengeveld asked Board members to consider goals for the PB in the upcoming year. She said she would contact Board members outside of the meetings.

Review of Preliminary Subdivision Plan for Buttrick Woods, Concord Street, Map 4, Lot 20. (Petition of Landwest, Inc., North Reading, MA)

Applicants Brian Ahern and Bruce Wheeler were present along with their engineer, Joe March of Stamski and McNary. The following members of the public were also present:

Jacqueline and Kurt Meehan of Lowell Road in Concord, Louise Hara of Concord St., Dave Kelch of Oak Knoll Rd. and Steve Tobin of Partridge Ln.

March submitted two copies of the revised plans and then showed the original preliminary plan with changes as recommended by the Board:

- 1) The trail easement was pulled away from the stone wall along the eastern boundary of the property to give abutters more privacy.
- 2) The restriction area along Concord St. was expanded on several lots.

He also responded to comments from the Board's engineer. He asked the Board for a definitive answer regarding the stub road. If the Board wants this road in place, he will redesign it to be closer to a 90° angle. He also noted that there would be less wetland fill with a stub road.

Abend asked if a common drive could be used to access the two lots behind the wetlands. March replied that this would be possible and added that a common drive off the stub road would not require any wetlands fill.

March noted that in order to protect trees along Concord St., the proposed swale would meander through existing trees. Regarding the restriction area, March said that driveways would be prohibited along the entire length, tree removal would be prohibited after completion of the subdivision, and no buildings would be allowed in the restriction area. He noted that two significant trees (18" and 20" oaks) would need to be removed at the southern entrance. Otherwise, this plan would require only brush removal along Concord St. He noted that the entrances to the loop road were at approximately 1% grades on Concord St. March also asked the Board's opinion on location of trail easements.

Next, March presented an alternative plan showing a conservation cluster. This showed a 13 lot cluster with 2 acre lots. The driveway entrances were at the same locations on Concord St. and the roadway was approximately the same as the preliminary subdivision plan, but moved closer to Concord St. With this plan 14.4 acres would be set aside for conservation. Houses would be out of the wetlands buffer zone. Drainage would be similar to the preliminary plan, but less structured. The conservation cluster also provides a 100 ft. no-build restriction on Concord St. As discussed at the previous meeting, the Board would issue two common driveway permits to access 6 and 7 lots respectively, but the driveways would connect. March asked the Board to give clear direction if it wished the applicant to pursue the conservation cluster plan.

Holzman asked March to explain wetlands/drainage issues brought up at the previous meeting. March used the plan to show drainage patterns and explained that he would be meeting with Cons. Com. on Thursday to work on the details.

Kurt Meehan, an abutter to the south, expressed concern about creating a driveway for Lot 8 (on the preliminary plan) along the southern border. He thought there was water along the entire length. He also wanted to know where the proposed trail would lead. He thought it would channel people onto his property. Louise Hara of the Trails Committee noted that this property abuts the Bisbee Land on one side and Spencer Brook Reservation on the other. It is hoped that trails will eventually link these properties to Estabrook Woods. The trails are intended primarily as a wildlife corridor and for neighborhood use.

Greg Peterson of the Carlisle Land Trust asked the Board to encourage the applicant to build a conservation cluster, feeling that this would address many of the concerns raised over the subdivision plan.

The Board read through section 5.5.1 of the Carlisle Zoning Bylaws to determine if this parcel would qualify for use as a conservation cluster and found that it would indeed fulfill the purposes of these regulations. Five members spoke in favor of pursuing a plan for a conservation cluster.

Holzman expressed some reservations because he was concerned about the amount of fill required for septic, but March assured him that these issues would be the same for both the subdivision plan and the conservation cluster. Holzman wished to see plans for sumps, grading, etc. before committing himself to either plan.

Mansfield asked if the drainage would be similar. March confirmed this noting that the detention basin may be slightly smaller in the cluster because of less roadway runoff.

The Board and applicant discussed the issue of two common driveways meeting and essentially forming a loop road. March agreed that some creativity would be required when writing the maintenance agreement, but felt this issue could be resolved with two applications.

Abend suggested that a provision be made to allow the construction of a school bus shelter in the buffer along Concord St.

Referring to the stub road in the subdivision plan, Abend said that if the stub allows access to the two lots behind the wetlands without going through the wetlands, then he would be in favor of including this stub. Otherwise he would prefer to see a common driveway accessing both lots with the stub shown only as a paper road.

Mansfield reminded the Board that with approval of a preliminary plan they may require the applicant to deposit an estimated fee for project review, determine the extent of traffic study to be done and schedule a site walk. Based on some research of past projects, the PA estimated that \$5,500 to \$6,500 would be an appropriate request for review. He noted that the review fee for a conservation cluster is \$1,000.


Regarding the traffic study, Abend recommended a limited study of volume, accident history and proposed mitigation.

Epstein then moved to approve the preliminary plan of Buttrick Woods in Carlisle, MA, dated May 29, 1998, by Stamski and McNary, revised on July 6, 1998 with the following modifications: 1) that the applicant provide, along with the definitive plan, an acceptable landscape plan pursuant to Article III, Sec. 5.F of the Subdivision Rules and Regulations; 2) that the applicant provide, to the Board's satisfaction as well as that of the Bicycle/Pedestrian Safety Committee, the appropriate footpaths as referenced in Article III, Sec. 2.A.9 and Article III, Sec. 5.C of the Subdivision Rules and Regulations; 3) that the applicant will provide that no access be allowed on Concord Street other than to the roadway shown on the plan; 4) the applicant will show how the goals of Article III, Sec. 1.B and E are satisfied, which relate to the minimization of disruption to the natural features and maximizing the preservation of such, particularly how it relates to roadway and drainage construction; 5) the applicant will relocate stone walls; 6) there will be 60 and 80 foot restriction areas with no build or cut after drainage is completed; 7) the stub road will be eliminated; 8) trails will be relocated along the southern boundary of the property; 10) the applicant will conduct a traffic study according to Art. III, Sec. 6.B.3 and Sec. 6.B.5 and Sec. 6.B.6. Abend seconded the motion and it was approved 5-1 with Holzman opposed.

Hengeveld thanked the applicant for presenting the conservation cluster and encouraged him to return with this plan.

At 11:00 p.m. Abend **moved to adjourn**. Epstein seconded the motion and it was approved 6-0.

Respectfully submitted,

A handwritten signature in cursive script, reading "Anja M. Stam".

Anja M. Stam
Recording Secretary